

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD H. TULLIS

Appeal No. 98-0218
Application No. 08/078,768¹

ORDER REMANDING TO EXAMINER

MAILED

DEC 09 1998

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Appellant filed a Supplemental Information Disclosure Statement (IDS) on October 8, 1998 (Paper No. 54). It is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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¹ Application for patent filed June 16, 1993. According to appellant, this application is a continuation of Application No. 07/633,452, filed December 20, 1990, now abandoned; which is a continuation of Application No. 07/355,140, filed May 15, 1989, now U.S. Patent No. 5,023,243, issued June 11, 1991; which is a continuation of Application No. 07/140,916, filed December 29, 1987, now abandoned; which is a continuation of Application No. 07/002,014, filed January 9, 1987, now abandoned; which is a continuation of Application No. 06/314,124, filed October 23, 1981.

Appeal No. 98-0218
Application No. 08/078,768

Accordingly, it is

ORDERED that the application is remanded to the examiner for consideration of the IDS, notification to appellants of consideration, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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Program and Resource Administrator
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DMS:clm

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